

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

UNITED STATES OF AMERICA

CASE NO. 18-cr-00047-01

VERSUS

JUDGE ELIZABETH FOOTE

MARIE KEMP

MAGISTRATE JUDGE HORNSBY

**ORDER**

In the above-captioned matter, the Court has reviewed all of the pleadings submitted with regard to the motion to suppress [Record Document 18] filed by the Defendant, Marie Kemp ("Kemp"), including the transcripts of both suppression hearings [Record Documents 37 & 39] and the Magistrate Judge's Report and Recommendation ("R&R") [Record Document 41]. Kemp has filed an objection to the R&R [Record Document 42]; the Government responded to that objection and urged the Court to adopt the R&R [Record Document 48]; and Kemp filed another response thereto [Record Document 49]. The matter is now fully briefed and ripe for the Court's decision.

The Court agrees with the Magistrate Judge's findings and conclusions set forth in the R&R and agrees that the motion to suppress should be denied. The Court further notes that the R&R was issued after a protracted hearing on the matter, which included a several-month continuance for Kemp to gather additional evidence and the submission of post-hearing briefing. Despite two hearings on this matter and the lengthy period in between, Kemp's objection to the R&R attaches 138 pages of documentation which constitutes new evidence that was not introduced at either prior hearing. Kemp's filings include no explanation as to why this evidence can or should be considered by the Court

now, why it was not introduced during either of the suppression hearings, nor does it acknowledge that the documents are not part of the record. In the absence of good cause, the Court declines to reopen the hearing in this matter in order to allow Kemp to present evidence that could have been introduced at either of the prior hearings. That said, the Court notes that Kemp has not asked the Court to reopen the record to introduce these documents. More importantly, Kemp's objection does not analyze the significance of these particular records nor does it, either alone or in conjunction with proffered arguments, satisfy her burden of proving a Tweel violation. For these reasons, **IT IS ORDERED** that Kemp's motion to suppress [Record Document 18] is **DENIED**.

**THUS DONE AND SIGNED** this 31 day of October, 2019.

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ELIZABETH E. FOOTE  
UNITED STATES DISTRICT JUDGE